

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

HORACE POOLAW,)	
)	
Plaintiff,)	
v.)	NO. CIV-03-1751-HE
)	
JO ANNE B. BARNHART, Commissioner)	
of the SOCIAL SECURITY ADMIN.,)	
)	
Defendant.)	

**ORDER FOR PAYMENT OF ATTORNEY'S FEES
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

Before the Court is plaintiff's motion for attorney's fees and expenses pursuant to the Equal Access to Justice Act and for award of court costs [Doc. #26]. Plaintiff is requesting attorney's fees in the amount of \$3,139.10. Defendant has responded and states that she has no objection to payment of attorney's fees in the amount of \$2,989.10. *See* LCvR54.1.

Accordingly, the Court **GRANTS** plaintiff's motion and awards fees in the amount of \$3,139.10, payable to Mark E. Buchner, Esq., 5153 E. 51st, Ste. 105, Tulsa, Oklahoma 74135. If attorney's fees are also awarded under 42 U.S.C. § 406(b)(1) of the Social Security Act, plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED.

Dated this 2nd day of June, 2005.



JOE HEATON
UNITED STATES DISTRICT JUDGE